
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Cathy L. Waldor, U.S.M.J.
	:	
v.	:	Mag. No. 19-7503
	:	
TONY WHITAKER	:	
	:	
	:	CRIMINAL COMPLAINT

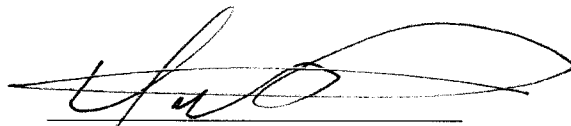
I, Mark Thompson, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Deputy Marshal with the United States Marshals Service and that this Complaint is based on the following facts:

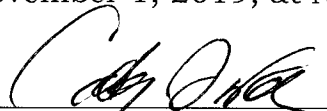
SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Mark Thompson,
Special Deputy Marshal
United States Marshals Service

Sworn to before me and subscribed in my presence,
November 1, 2019, at Newark, New Jersey



HONORABLE CATHY L. WALDOR
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

COUNT ONE

(Possession with Intent to Distribute Cocaine and Fentanyl)

On or about September 15, 2019, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

TONY WHITAKER,

did knowingly and intentionally distribute and possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine, and a quantity of a mixture and substance containing a detectable amount of fentanyl, both Schedule II controlled substances.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWO

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about September 15, 2019, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

TONY WHITAKER,

in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, the drug trafficking crime charged in Count One of this Complaint, did knowingly possess a firearm, namely a Jennings J-22, .22 caliber semi-automatic pistol, bearing serial number 674181, loaded with six rounds of .22 caliber ammunition.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

ATTACHMENT B

I, Mark Thompson, am a Special Deputy Marshal with the United States Marshals Service. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On or about September 15, 2019 at approximately 10:30 a.m., law enforcement officers with the Newark Police Department ("NPD") dressed in civilian attire were conducting proactive enforcement efforts near the Oscar Miles Housing Complex (the "Complex") in Newark, New Jersey following a recent increase in violent crimes, including shootings and homicides. While conducting their patrol, officers observed a large group of males congregating in the Complex and pulled into the Complex to conduct a foot patrol.

2. Upon observing the officers, who had their police badges displayed, TONY WHITAKER appeared startled and became nervous. He walked away from the group toward a parked vehicle (the "Vehicle"). TONY WHITAKER opened a door to the Vehicle, quickly reached inside, and continued walking away from the officers.

3. As officers approached TONY WHITAKER to investigate this suspicious activity, TONY WHITAKER discarded a clear plastic bag. Based on the officers' training and experience, the bag contained marihuana, and subsequent laboratory testing was positive for the presence of marihuana.

4. While trying to arrest TONY WHITAKER for possession of marihuana, he resisted arrest. After a brief struggle, he was handcuffed. A search incident to his arrest resulted in the seizure of approximately 10 vials of suspected cocaine ("Item-1"), approximately 31 glassine envelopes of suspected heroin labeled "Black Barbie" in black ink ("Item-2"), and \$158 in small denominations of U.S. currency. Subsequent laboratory analysis confirmed that Item-1 contained cocaine and Item-2 contained both fentanyl and a fentanyl precursor, 4-anilino-phenethylpiperidine, commonly referred to as "4-ANPP."

5. Pursuant to a search warrant, officers searched the Vehicle and recovered from the center console of the Vehicle a Jennings J-22, .22 caliber semi-automatic pistol, bearing serial number 674181, loaded with six rounds of .22 caliber ammunition. From the Vehicle's trunk, law enforcement recovered 15 additional rounds of .22 caliber ammunition, as well as 250

glassine envelopes of suspected heroin stamped "Running Nose" in blue ink, four glassine envelopes of suspected heroin stamped "Freddy" in red ink, and four glassine envelopes of suspected heroin stamped "Funeral" in blue ink.